

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JESSICA FINK,

Plaintiff,

v.

TIME WARNER CABLE,

Defendants.

Case No.
08 CIV 9628 (AKH)

**NOTICE OF WITHDRAWAL OF
TIME WARNER NY CABLE LLC'S MOTION TO
COMPEL ARBITRATION AND/OR STAY PROCEEDINGS**

PLEASE TAKE NOTICE THAT defendant Time Warner NY Cable LLC hereby withdraws its Motion (the "Motion") to Compel Arbitration and/or Stay Proceedings.

PLEASE TAKE FURTHER NOTICE that the Motion was electronically filed with the Clerk of the United States District Court for the Southern District of New York (the "Court") on January 23, 2009, and is referenced as document number 6 on the Court's electronic filing docket.

PLEASE TAKE FURTHER NOTICE that, as of the date hereof, no hearing to consider the relief requested in the Motion had been scheduled by the Court.

Dated: New York, New York
February 13, 2009

Respectfully submitted,

/s/ Jonathan D. Thier

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